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**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)**

Applicant(s): **Gideon Eden**

Docket No.

**Neogen 4.1-51**

Application No.

**10/630,167**

Filing Date

**July 30, 2003**

Examiner

**W. Blisner**

Customer No.

**21036**

Group Art Unit

**1744**

Invention: **DETECTING AIRBORNE MICROORGANISMS**

I hereby certify that this Verified Statement (Declaration) Claiming Small Entity Status

*(Identify type of correspondence)*

is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

2/15/2007

*(Date)*

**Tammi L. Taylor**

*(Typed or Printed Name of Person Mailing Correspondence)*

Tammi L. Taylor

*(Signature of Person Mailing Correspondence)*

**Note: Each paper must have its own certificate of mailing.**

<b>VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(d) AND 1.27 (c)) - SMALL BUSINESS CONCERN</b>			Docket No. <b>Neogen 4.1-51</b>	
Application No. 10/630,167	Filing Date FEB 21 2007 July 30, 2003	Patent No.	Issue Date	
Applicant/ Gideon Eden Patentee:				
Invention: <b>DETECTING AIRBORNE MICROORGANISMS</b>				
<p>I hereby declare that I am:</p> <p> <input type="checkbox"/> the owner of the small business concern identified below:  <input checked="" type="checkbox"/> an official of the small business concern empowered to act on behalf of the concern identified below:         </p> <p>NAME OF CONCERN: <u>Neogen Corporation</u></p> <p>ADDRESS OF CONCERN: <u>620 Lesher Place, Lansing, Michigan 48912</u></p> <p>I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.</p> <p>I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:</p> <p> <input checked="" type="checkbox"/> the specification filed herewith with title as listed above.  <input checked="" type="checkbox"/> the application identified above.  <input type="checkbox"/> the patent identified above.         </p> <p>If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).</p>				

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.  
☐ each such person, concern or organization is listed below.

FULL NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: James L. Herbert

TITLE OF PERSON SIGNING  
 OTHER THAN OWNER: Chief Executive Officer

ADDRESS OF PERSON SIGNING: 620 Lesher Place  
Lansing, Michigan 48912

SIGNATURE:  DATE: Feb 11, 2007